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U.S. Department of Justice

United States Attorney  
Southern District of New York

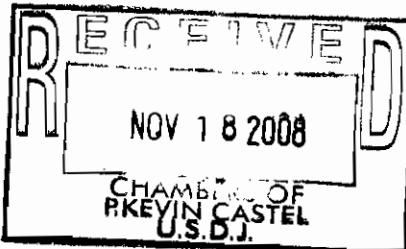
The Silvio J. Mollo Building  
One Saint Andrew's Plaza  
New York, New York 10007

# MEMO ENDORSED

November 17, 2008

BY HAND

Honorable P. Kevin Castel  
United States District Court  
Southern District of New York  
500 Pearl Street, Room 2260  
New York, NY 10007



Re: United States v. Juan Gabriel Usuga-Norena, S2 05 Cr. 135 (PKC)

Dear Judge Castel:

The Government and the United States Probation Office ("USPO") respectfully request that the Court schedule a status conference with respect to the outstanding fine and forfeiture judgments imposed by this Court on the defendant Juan Gabriel Usuga-Norena ("Usuga") in January 2007. According to USPO Viviani Bibliowicz, Usuga has made only two payments in the amounts of \$1500 and \$1000, both in February 2007, towards his \$267,708 fine. He has made no payments towards his \$3 million forfeiture judgment.

George Goltzer, Esq.,<sup>1</sup> defense counsel for Usuga's wife and co-defendant, Margarita Carmona-Rubio ("Carmona") has informed the Government that Usuga intends to secure financing to pay his fine and the outstanding mortgage on Florida property jointly owned by Usuga and Carmona, which will then be transferred to the Government as partial satisfaction of his forfeiture judgment. In addition, Usuga will forfeit his interest in certain artwork seized from his residence by the Government. According to Mr. Goltzer, however, it may take several weeks for Usuga to obtain the necessary financing.

In light of the time that has elapsed since the imposition of the judgments, the Government and the USPO request a status conference before the Court. If possible, the Government requests that the conference be scheduled on December 1, 2008, the same date as Carmona's sentencing.

*Conference scheduled for  
December 1 at 10:15am  
S. O. ORDERED  
S. J. M. 11/18/08*

<sup>1</sup> Usuga is not currently represented by counsel.

Honorable P. Kevin Castel  
November 17, 2008

The Court's consideration in this matter is appreciated.

Respectfully Submitted,

MICHAEL J. GARCIA  
United States Attorney  
Southern District of New York

By:

  
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cc: George Goltzer, Esq. (by fax - 212-832-8315)  
Juan Gabriel Usuga (by email c/o Mateo Usuga))  
Viviani Bibliowicz (by fax – 305-512-1827)